

**UNITED STATES DISTRICT COURT** **FILED**for  
**NORTHERN DISTRICT OF CALIFORNIA**  
Oakland Venue**APR 15 2008**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**Petition for Summons for Offender Under Supervision**Name of Offender: **Marcus Edward Moore** Docket No.: **CR 08-00010-01 DLJ**Name of Sentencing Judge: **Lawrence K. Karlton**  
**United States District Judge**  
**Eastern District of California**Date of Original Sentence: **August 1, 2006****Original Offense:****Count One: Felon in Possession of Firearm, 18 U.S.C. § 922(g)(1), a Class C felony****Original Sentence: 34 months custody; three years supervised release****Special Conditions: Special assessment \$200; drug/alcohol treatment; search; not own or possess any firearms, ammunition, destructive devices, or other dangerous weapons; DNA collection****Prior Forms 12: Mr. Moore was summoned to court in the Eastern District of California on November 27, 2007 following several violations of his supervised release. On December 4, 2007, his supervision was modified to include six months on home confinement with electronic monitoring.****Jurisdiction of this case was transferred to the Northern District of California on January 3, 2008.****Type of Supervision: Supervised Release**  
**Assistant U.S. Attorney: None assigned****Date Supervision Commenced: August 18, 2006**  
**Defense Counsel: Randall Knox, retained****Petitioning the Court****The issuance of a summons for the offender to appear in court before duty Magistrate Judge Brazil for identification of counsel and setting of further proceedings on April 22, 2008 at 10:00 A.M.****I, Sharon K. Alberts, a Probation Officer employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records or documents generated and maintained by other government agents or agencies in the course of**

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performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course of performing official agency functions).

Charge NumberViolation

One

There is probable cause to believe that the offender violated the standard condition that he not commit another federal, state or local crime.

On April 4, 2008, a routine traffic stop was conducted by a Petaluma Police officer. Mr. Moore was cited for being in possession of marijuana, driving on a suspended license and for an active warrant from Marin County for driving on a suspended license.

This is evidenced by Petaluma Police department citation number 08-1996, which indicates Mr. Moore made an unsafe turn, was driving on a suspended license, and was in possession of marijuana.

Two

There is probable cause to believe that the offender violated the standard condition that he refrain from any unlawful use of controlled substances.

Mr. Moore tested positive for THC on the following occasions:  
March 12, 2008 and April 4, 2008

This is evidenced by Kroll Laboratory reports CO078488 and CO0784885.

Three

There is probable cause to believe that the offender violated the special condition that he participate in home confinement with electronic monitoring and shall abide by all the program requirements for a period of six months.

Mr. Moore violated the conditions of his electronic monitoring and failed to follow all program rules in that he tested positive for controlled substances on March 12, 2008 and April 4, 2008. He further violated the conditions of his electronic monitoring in that he was in possession of controlled substances and driving without a license on April 4, 2008.

This is evidenced by Kroll Laboratory reports CO078488 and CO0784885. This is further evidenced by Petaluma Police department citation number 08-1996.

Address of offender: 1570 North Street, #22  
Santa Rosa, CA 95405

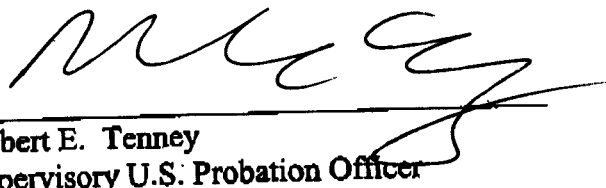
Based on the foregoing, there is probable cause to believe that Marcus Edward Moore violated the conditions of his supervision.

Respectfully submitted,



Sharon K. Alberts  
U.S. Probation Officer  
Date Signed: April 11, 2008

Approved as to form:



Robert E. Tenney  
Supervisory U.S. Probation Officer

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Having considered the information set forth above, the court finds there is probable cause to believe there has been a violation of the conditions of supervision and orders:

- ☒ The issuance of a summons for the offender to appear in court before duty Magistrate Judge Brazil for identification of counsel and setting of revocation proceedings on April 22, 2008 at 10:00 A. M.
- ☐ Other:

Date

4-15-08



D. Lowell Jensen  
Senior United States District Judge